UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

DEC 17 2003 MANDATE ISSUED

NO. 02-35441 CT/AG#: CV-75-00914-OMP

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

BOYD P. BRAREN; BOYD P. BRAREN TRUST; MARILYN J. MOSBY; JOHN M. MOSBY; LESLIE HUFFORD; KENNETH J. HUFFORD; HART ESTATE INVESTMENT COMPANY; PEGGY MARENCO

Defendants - Appellants

and

STATE OF OREGON

Defendant-intervenor

v.

KLAMATH INDIAN TRIBES

Plaintiff-intervenor - Appellee

STATES OF IDAHO, COLORADO, NEVADA AND UTAH

Amicus

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APPEAL FROM the United States District Court for the District of Oregon (Portland).

THIS CAUSE came on to be heard on the Transcript of the Record from the United States District Court for the District of Oregon (Portland) and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court, that the judgment of the said District Court in this cause be, and hereby is VACATED and REMANDED. Each party shall bear its own costs in this appeal.

Filed and entered July 21, 2003

A TRUE COPY CATHY A. CATTERSON Clerk of Court ATTEST

Deputy Cies